

LAW OFFICES OF DALE K. GALIPO

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Attorneys for Plaintiffs

JONATHAN WAYNE BOTTEN, SR.,

TANJA DUDEK-BOTTEN, ANNABELLE BOTTEN,

AND J.B.

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

JONATHAN WAYNE BOTTEN, SR.;
TANJA DUDEK-BOTTEN;
ANNABELLE BOTTEN; and J.B., a
minor, by and through his guardian
JONATHAN WAYNE BOTTEN, SR.,

Plaintiffs,

vs.

STATE OF CALIFORNIA; COUNTY
OF SAN BERNARDINO; ISAIAH
KEE; MICHAEL BLACKWOOD;
BERNARDO RUBALCAVA;
ROBERT VACCARI; JAKE ADAMS;
and DOES 1-10, inclusive,

Defendants.

Case No. 5:23-cv-00257-KK-SHK

Honorable Kenly Kiya Kato

Mag. Judge Shashi H. Kewalramani

**JOINT REPORT RE:
SETTLEMENT PROCEEDINGS
UNDER COURT-DIRECTED ADR
PROGRAM**

1 **TO THE HONORABLE COURT:**

2 Pursuant to the Court’s Civil Trial Scheduling Order, Plaintiffs Jonathan Wayne
3 Botten, Sr., Tanja Dudek-Botten, Annabelle Botten, and J.B., a minor by and through
4 his guardian *ad litem* Jonathan Wayne Botten, Sr. (“Plaintiffs”) and Defendants
5 Michael Blackwood, Isaiah Kee, Bernardo Rubalcava (“State Defendants”), County of
6 San Bernardino, Robert Vaccari, and Jake Adams (“County Defendants”) (collectively
7 “the Parties”), hereby submit this Joint Report Regarding Settlement Proceedings
8 Under Court-Directed ADR Program.

9 A mediation pursuant to ADR Procedure No. 2 was held on April 3, 2025,
10 before ADR Panel Mediator Richard Copeland. The individual parties, their respective
11 trial counsel, and/or representatives appeared as required by Local Rule 16-15.5(b).

12 Plaintiffs and County Defendants reached a tentative settlement. This settlement
13 is subject to County Board approval. This matter is set for review by the Board of
14 Supervisors at the next available closed session meeting on April 29, 2025.

15 Plaintiffs and State Defendants were unable to reach a settlement. However, the
16 Plaintiffs and State Defendants are open to reopening settlement discussions should
17 circumstances change.

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1 Respectfully submitted,

2 DATED: April 10, 2025

LAW OFFICES OF DALE K. GALIPO

3
4 Bv /s/ Hang D. Le

5 Dale K. Galipo
6 Hang D. Le
7 Attorneys for Plaintiffs

8
9 DATED: April 10, 2025

10 ROB BONTA
11 Attorney General of California
12 NORMAND D. MORRISON
13 Supervising Deputy Attorney General

14 */s/ Diana Esquivel*

15 DIANA ESQUIVEL
16 Deputy Attorney General
17 Attorneys for Defendants Blackwood, Kee, and
18 Rubalcava

19
20 DATED: April 10, 2025

LYNBERG & WATKINS

21 Bv /s/ Amy R. Margolies

22 Shannon L. Gustafson
23 Amy R. Margolies
24 Attorneys for Defendants
25 COUNTY OF SAN BERNARDINO,
26 ROBERT VACCARI. and JAKE ADAMS
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*The filer, Hang D. Le, hereby attests that all other signatories listed, and on whose
behalf the filing is submitted, concur with the filing's content and have authorized the
filing.